NOTIFICATION.

No. RD 2 GR 3 61, dated Bangalore, 13th December 1962.

In exercise of the powers conferred by Section 78 of the Indian Registration Act, 1908 (Central Act XVI of 1908) and in supersession of,--

1. Mysore Government Notification No. SR 8662-Regis. 28-53-2, dated 23rd March 1954, as in force in the Mysore Area;

2. Bombay Government Notification (Revenue Department) No. 1940/24A, dated 30th September 1924 as in force in the Bombay Area;

3. Madras Government Notification Registration No. 11-54-2946, dated 31st August 1951 as in force in the Madras Area;

4. Table of registration fees contained in Hyderabad Government Notification No. R/904-906/102/54'T dated 13th August 1956 as in force in the Hyderabad Area; and

5. Notification No. 74, dated 20th July 1907 of the Chief Commissioner of Coorg, as in force in Coorg District;

the Government of Mysore hereby fixes the fees as specified in the following table:

This notification shall apply to the whole of the State of Mysore and shall come into force with effect from 2nd January 1963.

Table of Fees

I. (1) This Article shall apply to those documents on which registration fee is leviable on an *ad valorem* scale on the amount or value of the consideration of the property to which the document relates.

(2) The registration fee on the following documents shall be levied on an *ad valorem* scale on the amount or value of the consideration :—

Acknowledgment (not being of the nature described in Article III), Agreement for consideration (See Note 5), Annuity Bonds (See Note 4), Award, Bond, Bill of Exchange, Bill of Sale, Lease (See Notes 3 and 6), Instrument of Assignment, Conveyance, Mortgage (See Note 1), Release for consideration (not being of the nature described in Article III), Sale, Transfer, any certified copy of the decree or order of Court.

(3) The registration fee on the following documents shall be levied on an *ad valorem* scale on the amount or value of the property:—

Composition Deed, Gift Deed, Partition Deed (See Note 2), Partnership Deed, Settlement, Declaration of Trust, Release other than one falling under sub-article (2) or Article III.

(4) The *ad valorem* scale shall be :—

(*a*) If the amount or value of the consideration or of the property to which such instrument relates is wholly expressed therein :—

				Rs.	nP.
When the amount or value does not exceed Rs. 50			...	0	75
When the amount or value exceeds Rs. 50 but does not exceed Rs. 100				1	50
Do	Rs. 100	do	Rs. 200	2	00
Do	Rs. 200	do	Rs. 300	3	00
Do	Rs. 300	do	Rs. 400	4	00
Do	Rs. 400	do	Rs. 500	5	00
Do	Rs. 500	do	Rs. 600	6	00
Do	Rs. 600	do	Rs. 700	7	00
Do	Rs. 700	do	Rs. 800	8	00
Do	Rs. 800	do	Rs. 900	9	00
Do	Rs. 900	do	Rs. 1,000	10	00
For every Rs. 500 or part thereof in excess of		Rs. 1,000	upto Rs. 3,000	1	50
Do	Rs. 500	do	Rs. 3,000 upto Rs. 4,000	2	00
Do	Rs. 500	do	Rs. 4,000 upto Rs. 5,000	2	50
For every Rs. 1,000 or part thereof in excess of Rs. 5,000			...	5	00

(*b*) If such amount or value is only partly expressed the same *ad valorem* fee as above on the amount for value which is expressed, and an additional fee of 5 00

(*c*) If such amount or value is not expressed at all, a fixed fee of 50 00

Note (1).—The fee leviable upon a document purporting to give collateral or auxiliary or additional or substituted security or security by way of further assurance, where the principal or primary mortgage is proved to the satisfaction of the registering officer to have been duly registered, shall be the same as for the principal or primary mortgage, if the same does not exceed Rs. 10; otherwise it shall be Rs. 10.

Note (2).—In the case of an instrument of partition the value of the separated share or shares on which stamp duty is leviable shall be deemed to be the amount or value of the property to which such instrument relates.

Note (3).—In the case of leases, the amount or value of the consideration, on which the *ad valorem* fee is to be assessed, shall be as follows :—

Where the rent is fixed and no fine or premium is paid or money advanced, then, if the lease is granted :—	The fee will be assessed on ;
(*a*) for a period less than a year.	The total sum payable under th lease.
(*b*) for a period of not less than one year but not exceeding 10 years.	The average annual rent reserved.
(*c*) for a period exceeding 10 years but not exceeding 20 years.	Twice the amount of average annual rent reserved.
(*d*) for a period exceeding 20 years but not exceeding 30 years.	Three times the amount of the average annual rent reserved.
(*e*) for a period exceeding 30 years but not exceeding 100 years.	Four times the amount of the average annual rent reserved.
(*f*) for a period exceeding 100 years or in perpetuity ;	One-sixth of the whole amount of rents which would be paid or delivered in respect of the first 50 years of the lease.
(*g*) for a period which is not definite.	The average annual rent which would be paid or delivered for the first ten years, if the lease continued so long.
(ii) Where the lease is granted in consideration of a fine or premium or money advanced and where no rent is reserved.	The amount of such fine or premium or money advanced.
(iii) Where the lease is granted for a fine or premium or money advanced in addition to rent reserved.	The amount of fine or premium or money advanced in addition to the fee which would be payable on such lease if no fine, premium or advance had been paid.

N.B.—(1) When a lessee undertakes to pay any recurring charge, such as Government Revenue, the landlord's share of Cesses or the owner's share of municipal rates or taxes, which is by law recoverable from the lessor, the amount so agreed to be paid by the lessee shall be deemed to be part of the rent.

(2) If a Patta or lease be given to a cultivator and the Kabuliyat or Counterpart of such patta or lease be registered in the same office and on the same day as the patta or lease, the fee chargeable in respect of the two documents shall not be greater than the fee which would have been charged on the lease alone.

Note (4).—In the case of an instrument executed to secure the payment of an annuity or other sum payable periodically or where the consideration for a conveyance is an annuity or other sum payable periodically, the amount or value of the consideration on which the *ad valorem* fee is to be assessed, shall be as follows :—

Where the sum is payble —	The fee will be assessed on—
(*a*) for a defini e period.	The total amount to be paid during the period.
(*b*) in perpetuity or for an indefinite time not terminable with any life in being.	The total amount payable during the first twenty years calculated from the date on which the first payment becomes due.
(*c*) for an indefinite time terminable with any life in being at the date of such instrument or conveyance.	The total amount payable during the first twelve years calculated from the date on which the first payment becomes due.

Note (5).—In the case of service bonds and agreements for the hire of moveable property, the amount or value of the consideration, on which the *ad valorem* fee is to be assessed shall be as follows :

If the service bond or agreement is granted:	The fee will be assessed on:
(1) for a period of a year or less.	The total amount payable under the service bond or agreement.
(2) for a definite period exceeding one year.	The average annual amount to be paid during the period.
(3) for an indefinite period.	The average annual amount to be paid during the first ten years.

Note (6).—If in any case, the rent, remuneration or hire is payable partly in money and partly in kind, and the value of the portion payable in kind is not expressed, the fee shall be charged at twice the amount of the *ad valorem* fee chargeable in respect of the amount payable in money, *e.g.*, if the *ad valorem* fee chargeable on the amount payable in money is Rs. 5, the total fee leviable in respect of the document would be Rs. 5 on the money value *plus* Rs. 5 for the payment in kind. If the rent or remuneration is payable entirely in kind and the money value thereof is not expressed, its money value shall be deemed to be the highest amount which the stamp borne by the document shall suffice to cover, and if the document is exempt from stamp duty, the money value of rent or remuneration paid in kind shall be calculated at the current market rates.

Note (7).—(1) In the case of documents purporting or operating to effect a contract for the sale of immoveable property and,

(*a*) not containing a recital that the possession of the property has been delivered to the person contracting to buy, an *ad valorem* fee on the amount or value of the purchase money subject to the maximum of Rs. 5 shall be charged on the document; a document purporting or operating to effect a sale of the said property executed in pursuance of the said contract shall be subject to an *ad valorem* fee on the amount or value of the purchase money;

(*b*) containing a recital that the possession of the property has been delivered to the person contracting to buy, an *ad valorem* fee on the amount or value of the purchase money shall be charged on the document; the document purporting or operating to transfer by way of sale the said property executed in pursuance of the said contract shall be treated as a supplementary document and shall be subject to an *ad valorem* fee on the amount or value of the purchase money subject to a maximum of Rs. 5.

(2) Except as otherwise provided in this Article, the provisions of clause (1) shall, so far as may apply to documents which purport to be or to operate as agreements for the transfer of any right, title or interest in immoveable property, otherwise than by way of sale, and to documents which purport or operate to effect such transfers and are executed in pursuance of such agreements.

Note (8).—No fee shall be payable in respect of the registration of a document relating to immoveable property which has already been registered in a wrong registration office and on which proper fee has been paid under this Article.

Note (9).—The provisions of Sections 5, 6, 20, 21 and 23 of the Mysore Stamp Act, 1957 shall *mutatis mutandis* apply to calculations of value for the purposes of determining the registration fee.

II. *The fee for the Registration of a Surrender of a Lease* shall be the same as for the lease surrendered, if the same does not exceed Rs. 7.50 nP.; otherwise the fee shall be Rs. 7.50 nP.

III. This Article shall apply to documents on which fee shall be calculated according to the *ad valorem* scale in Article I but subject to a certain maximum specified hereunder :—

Registration fee, calculated according to the *ad valorem* scale subject to a maximum of Rs. 7.50 nP. shall be levied on the following documents :—

(i) A document which acknowledges merely the payment of the consideration for some other document which is also registered ;

(ii) A document which acknowledges the receipt of the consideration expressed in a previous registered document but not paid at the time of the execution of such document, where full *ad valorem* fee has, under Article I, been levied in respect of such previous document ;

(iii) A reconveyance executed on the extinction of mortgage liens ;

(iv) A release executed on the extinction of mortgage liens ;

(v) A document acknowledging the receipt of instalments on account of mortgages ;

(vi) A Revocation of Trust or Settlement (*See* Note 1 below);

(vii) Duplicate or duplicates presented for registration with the original document or documents on the same day ;

(viii) A release executed in pursuance of some other document on which full *ad valorem* fee under Article I has been paid (*See* Note 2 below).

Note (1).—A revocation of Trust or Settlement mentioned in this Article, is a document executed in pursuance of a power to revoke, reserved in the original registered deed of Trust or Settlement, and includes a partial revocation of Trust or Settlement executed otherwise than in pursuance of such power.

Note (2).—A Release executed in pursuance of another document includes a release by trustees in favour of beneficiaries and *vice versa*, release by a settle in favour of settlors, release by benamidars in favour of real owners and documents of a similar nature.

Note (3).—In case of a release where the amount or value of the interest or claim released is less than the amount or value of the property over which the claim is released, if the amount or value of the consideration for the release is not shown, the registration fee shall be levied

according to the *ad valorem* scale in Article I but subject to a maximum of Rs. 50.

IV. This Article shall apply to documents on which a fixed fee shall be levied :—

A fixed registration fee of Rs. 7.50 nP. shall be levied for the registration of the following documents :—

Power of Attorney, Writing of Divorcement, A certificate of Heirship, Guardianship, Administratorship, or Executorship, a Notice of Pendancy of a suit or proceeding referred to in Section 52 of the Transfer of Property Act, 1882, Revocation of Trust or Settlement [*See* Note (2) below], Dissolution of partnership, Agreement of pre-emption in a partition deed or in a lease, Appointments of property, Declaration of trade marks, Declaration Agreement of easement where amount or value of consideration is not shown, Documents which do not fall within any other Article of this Table.

Note.—(1) Where an *ad valorem* fee on the property to which such Trust-deed relates has once been paid on the registration of a deed appointing a body of Trustees for the management of any property, and a subsequent deed appointing one or more Trustees in addition to or in place of some of those appointed as above is presented for registration, such subsequent deed shall be liable to the fixed fee of Rs. 7·50 nP. under this Article.

Note.– (2) A Revocation of a Trust or Settlement mentioned in this Article is one where a previously registered Trust or Settlement is wholly revoked otherwise than in pursuance of a power to revoke reserved in the original deed of Trust or Settlement.

V. For Registration of an Adoption deed, or Authority to adopt not conferred by a will, the fee payable shall be Rs. 20.

VI. For Registration of a Will when presented open, the fee payable shall be Rs. 20:

Provided that in the case of Wills in which the value of the property dealt with is mentioned and that value does not exceed Rs. 4,000 the Registration fee shall be as per *ad valorem* scale as in Article I.

VII. The fee payable on a document cancelling a will shall be the same as on the original, if registered, subject to a maximum of Rs. 20, otherwise Rs. 20.

VIII. The fee for deposit of a sealed cover containing a will, besides the expenses of copying the superscription or contents according to the rate laid down in Article XIII—Rs. 20.

IX. The fee for opening a sealed cover: Rs. 10 besides the expenses of copying the superscription or contents according to the rate laid down in Article XIII.

X. The fee for withdrawal of a sealed cover—Rs. 5.

XI. The fee for the Re-registration of documents under Section 24 of the Indian Registration Act, 1908, the same fee as for the registration of such document.

XII. **Searches and Inspections**: (1) The fee payable for search for or inspection of a single entry of document shall be,—

(i) for the first year in the books of which search is made for each entry or document--Rs. 2.

(ii) for every other year in the books of which search is continued, for each entry or document—Re. 0-50 nP.

(2) The fee payable for a general search for or inspection of any number of entries or documents relating to one and the same property or executed by or in favour of one and the same individual,

(i) For the first year in the books of which search is made ... Rs. 3-00.

(ii) For every other year in the books of which search is continued. Re. 0-75 nP.

Note (1).—For the purpose of clause (2) of this Article the determination of one and the same property shall be with reference to the ownership at the time of the application for a certificate of encumbrance, but the following may in each case be treated as one and the same property:—

(i) a single survey field or a house, owned by more than one person;

(ii) lands used for wet and dry cultivation situated in the same village and owned by one person or jointly by two or more persons whether the parcles be contiguous to one another or not;

(iii) a field or a garden and the house situated in it, and

(iv) building or houses described as being situated within the same boundaries and forming together one property.

Note (2).—Every application for the continuance of a search made after one week from the date of completion of that search will be treated as a fresh application and the higher fees of Rs. 2 and Rs. 3 respectively, shall be charged for the first year in the books of which the search is desired to be continued.

73

Note (3).—Every application for the grant of certified copy unless made at the time of registration of a document shall be considered as an application for search and charged accordingly provided, however, that a second search fee shall not be levied, for granting copies of entries found in the course of a single or general search for which proper search fees had been levied, if the applicant mentions in the application the number and year of the entry, the names of parties and the nature of the document.

Note (4).—The Inspector General of Registration may remit in part the fee leviable under this Article when it appears to him that the levy of full fee would result in hardship.

Note (5).—In the case of Register books or Indexes maintained according to the different years such as 'Fasli', 'Hijari', 'British Calendar year' in the different areas of the State prior to the application of the common financial year, the expression 'Year' shall mean the year recognised for official purposes in each such area at the time when such Register books or Indexes were built.

Note (6).—Government Officers requiring to search or inspect the books or indexes for *bona fide* public purposes shall be exempt from payment of fees.

XIII. **Copying fees, Grant of copies, etc.**—(i) For copying documents in the register books, besides the registration fee, for each folio of 100 words or part thereof—0.30 nP.

(ii) For copying endorsements on documents other than transcription of the value of the stamp and the stamp vendor's endorsement—

(*a*) in all cases (other than wills presented after the death of a testator): a fixed fee of 0.50 nP.

(*b*) In the case of wills presented after the death of a testator: a fixed fee of Re. 1.

Note (1).—No fee under this Article shall be payable in respect of a duplicate or duplicates of a document presented for registration along with the original.

Note (2).—In reckoning the number of words, every figure, initial or abbreviation shall count as a word.

Note (3).—**Manner of calculating copying fees.**—In calculating copying fees in the case of documents copied by hand a fraction of a folio shall be counted as a whole

folio. When a document is short and the copy of it is likely to occupy less than a page of a register book, the whole number of words shall be counted. In other cases the number of folios may be counted by multiplying the average number of words in five different lines in different parts of the document by the number of lines in the document (a fraction of a word being counted as a word) and dividing the result by a hundred :

Provided that the transcription of the value of the stamp and the stamp vendor's endorsement shall not be taken into account in calculating the copying fees :

Provided further that copying fees in the case of documents copied by Photography shall be calculated at the rate charged per page of the document.

XIV. (1) For comparing printed copies of printed documents presented for registration, for each folio of 100 words—0.50 nP.

Note : Only the portion added in manuscript in the printed copies of printed documents presented for registration shall be charged for copying at the ordinary rate as in Article XIII of this Table.

(2) For filing each such copy—0.60 nP.

XV. For Photographing documents for insertion in the register book, besides the ordinary registration fee—

(*a*) for each page up to the size of $16\frac{1}{2}'' \times 10\frac{1}{2}''$ ... 0·45 nP.

(*b*) for each page of a size larger than $16\frac{1}{2}'' \times 10\frac{1}{2}''$ requiring to be photographed in parts—
for each part up to the size of $16\frac{1}{2}'' \times 10\frac{1}{2}''$ ... 0·45 nP.

Explanation : "PAGE" means one side of a sheet.

XVI. For making or granting copies of entries and documents for the benefit of any person, or to be forwarded to any office under Sections 65, 66 and 67 or for making or granting copies of reasons for refusal by a Registrar under Section 76, for each folio of 100 words—0.30 nP.

Note (1).—Fees for copying endorsements under Article XIII (ii) (*a*) are also leviable when copies are to be made under Sections 65, 66 and 67.

Note (2).—No fee for making copies of documents to be forwarded to any officer under Sections 65, 66 and 67

shall be payable in respect of a duplicate or duplicates of a document presented for registration along with the original.

Note (3).—When an applicant presents a printed copy of a document already registered and applies for a certified copy of the same, only the portion added in manuscript in the certified copy shall be charged for at the ordinary rate prescribed in Article XIII for copying and in addition, a fee of 5 nP. for each folio of hundred words or printed matter shall be levied for comparing such copy.

XVII. Documents can be photographed into four sizes and extra copies can be granted in whatever size the parties desire. The fees for the different sizes are as under:—

For each extra copy of a document photographed of whatever size :—

	Rs.	nP.
(*a*) For each page of the print of the size $7\frac{1}{4}'' \times 4\frac{1}{2}''$ ...	0	30
(*b*) For each page of the print of the size $10'' \times 6''$ ...	0	50
(*c*) For each page of the print of the size $12'' \times 7\frac{1}{2}''$ ...	0	75
(*d*) For each page of the print of the size $13\frac{1}{2}'' \times 8\frac{1}{2}''$ ...	1	00

Explanation : "PAGE" means one side of a sheet.

XVIII. For granting copy of map or plan :—

Provided that the arrangements for and the cost of making such copy shall be made and borne by the person who applies for it— 0.75 nP.

XIX. Government officers requiring copies of entries, documents, maps or plans for *bona fide* public purposes shall be exempt from the payment of fees.

XX. **Extra or Additional Fees.**

For registration of any document by a Registrar under Section 30 (1) of the Act.	...	Rs. 10-00 in addition to the ordinary fee.

Note (1).—No extra or additional fee shall be levied for the registration of a counterpart or a duplicate of a document in respect of which the extra fee has been paid if such counterpart or duplicate is presented for registration on the same day as the original document.

Note (2).—When the registration of any document properly registrable by a Sub-Registrar is performed by the

Registrar to whom he is subordinate owing to the former being a party to the transaction represented by such document, the additional fee shall not be charged.

XXI. For issue of commission or attendance at a private residence or Jail:—

(1) For every attendance at a private residence :—

(*a*) for the registration of one or more documents executed by one and the same individual, or

(*b*) for the acceptance for registration of one or more documents executed in favour of one and the same individual or for the acceptance for deposit of a will executed by an individual, or

(*c*) for the attestation of one or more powers of attorney executed by one and the same individual, or

(*d*) for the examination of one and the same individual under Section 33 or 38,

there shall be paid, besides travelling allowance, extra fee of Rs. 22·50 nP. if the person on whose behalf commission is issued or attendance is made at a private residence.

(2) For attendance at a Jail :—

(*a*) for registration of one or more documents executed by a person confined in a Jail, or

(*b*) for acceptance of one or more documents executed in his favour or for acceptance for deposit of a will executed by him, or

(*c*) for attestation of one or more powers of attorney executed by such person, or

(*d*) for examination of such person under Section 33 or 38,

the fee to be paid, besides travelling allowance, shall be Rs. 7.50 nP.

(3) For every attendance at a private residence of a nurse or female assistant, if required to accompany a Registering officer to take the thumb impression of one or more female executants who are Pardanashin, an extra fee of Rs. 5 shall be charged irrespective of the number of documents registered at such private residence :

Provided that where two or more persons who are parties to the same document and who are entitled to exemption from attending the registration office reside together or when two or more persons who are parties to the same document are confined in a Jail, only one attendance or commission fee shall be charged so far as those persons are concerned.

In that event each person shall be entitled to present for registration or attestation at such attendance any number of documents or powers of attorney or to admit execution of any number of documents presented for registration or to deposit a will without payment of any further attendance fee.

Note: The Inspector General of Registration may remit the fees under clauses (1), (2) and (3) when it appears to him that their levy would result in hardship.

XXII. (*a*) (1) For proceeding to and returning from a private residence or a jail a registering officer or a commissioner may levy actual travelling expenses for himself, as well as for a peon, when the latter accompanies him.

(2) For journeys by railway, such actual travelling expenses shall not exceed the fare of the class to which the registering officer or commissioner is entitled under the Mysore Civil Service Rules and in the case of Peon the fare of the lowest class.

(3) For journey by road, actual travelling expenses shall be subject to the undermentioned minimum and maximum :

Officer	*Minimum*	*Maximum*	
District Registrar ...	Rs. 3.00 nP.	Rs. 1.50 nP.	per mile
Sub-Registrar in District Headquarters ...	Rs. 2.00 nP.	Re. 1.00 ,,	,,
Sub-Registrar in other places ...	Rs. 1.50 nP.	Re. 0.75 ,,	,,

Note: When the journey to and fro does not exceed two miles the minimum expenses prescribed in this Article shall be levied.

(4) In cases where daily allowance is admissible under the Mysore Civil Service Rules such allowance shall also be levied both for the registering officer or commissioner and for the peon accompanying him.

(5) No travelling allowance shall be levied when the registering officer or commissioner performs the journey in respect of the whole distance in a conveyance provided by the party.

(6) When a registering officer or commissioner attend at the same time at two or more residences in the same village, the amount of travelling allowance to be levied from all the applicants shall be as for a single journey and shall be recovered in equal shares from the several applicants.

(*b*) Any person deputed by a Registrar or Sub-Registrar to make an examination at a private residence shall be allowed travelling allowance at the rate of one rupee per mile.

XXIII. For the safe custody and return of any document presented for registration and not claimed by a person entitled to claim it [*vide* sub-section (2) of Section 61 of the Act] within 15 days from the date of notice issued under the rules made under Section 69 of the Act, for every 15 days or part thereof after the expiry of the period 15 days from the date of issue of such notice until such document is claimed a fee of 0.50 nP. shall be levied:

Provided that the maximum fee payable under this Article for each document so returned shall be Rs. 6:

Provided further that the Inspector General of Registration may remit wholly or in part fees leviable under this Article by a Registering Officer in cases in which it appears to the Inspector General of Registration that the levy of such fees would result in injustice or hardship.

XXIV. For every copy of the memorandum to be sent under Sections 64, 65 and 66—0.75 nP.

Note: No fee shall be payable in respect of a duplicate or duplicates of a document presented for registration along with the original.

XXV. For the authentication or attestation of a power of attorney,

(i) if special—Rs. 1.50 nP.
(ii) if general—Rs. 3.00 nP.

Note (1).—A single fee shall be levied for the authentication or attestation of a power of attorney whatever may be the number of signatories to it, provided that all of them appear simultaneously. Where they do not so appear a separate fee shall be levied for each time.

Note (2).—The duplicate or the triplicate of power of attorney presented for authentication or attestation shall be treated as a separate power and a separate fee levied thereon.

XXVI. When under Section 36 read with Section 39, application is made to issue and serve a summons or warrant, process fee and remuneration of the person summoned at the rate from time to time prescribed for the lowest grade of Civil Court having jurisdiction over the place from which the summons or warrant is issued,

shall be levied from the person at whose instance or in whose behalf, the application is made.

This Article applies *mutatis mutandis* to summonses and warrants issued under Section 75 of the Act.

The process fees shall be levied in Court Fee stamps and the remuneration in cash.

XXVII. One half of the registration fee and all the copying fees in respect of a document presented for registration which is withdrawn before the order of registration has been passed and in respect of a document of which registration is finally refused, shall be refunded.

Note: Any fine levied by the Registrar under Section 25 is not to be refunded, except under Section 70 of the Act. Similarly, any fees levied for issuing commissions, summons, and for meeting attendance and travelling allowance charges shall not be refunded, if they have been earned or disbursed.

XXVIII. A fixed fee of Rs. 15 shall be levied—

(*a*) for the presentation of each appeal under Section 72 or application under Section 73 against the orders of a Sub-Registrar refusing to register a document;

(*b*) for an enquiry under Section 74;

(*c*) for an enquiry by a Sub-Registrar invested with the powers of a Registrar under the second proviso to sub-section (3) of Section 35 in respect of documents, the execution of which is denied;

(*d*) for an enquiry to be made by a Regstering Officer under the Registration Rules, when (*i*) a non-testamentary document is presented for registration after the death of the executant, or (*ii*) the executant dies after presentation of a document by the claimant or his respresentative, assignee or agent; or

(*e*) for an enquiry to be made by a registering officer under the rules made under Sections 40 and 41 of the Act:

XXIX. (1) A fixed fee of 50 nP. shall be levied—

(*a*) for each application made to a Sub-Registrar under Sections 25 (2) and 34 (4);

(*b*) for each application made to a registering officer under Section 56 for enforcing the appearance of executants and witnesses;

(*c*) for filing a translation of a power-of-attorney produced by an agent with or in connection with a document presented for registration when the power of attorney is written in a language not commonly used in the district;

(*d*) for filing a special power-of-attorney produced with or in connection with a document presented for registration;

(*e*) for each notice of revocation of a power-of-attorney given to a registering officer and for each intimation of the same sent to such other offices as may be specified by the person revoking the power;

(*f*) for each application for the return of a will registered or refused to be registered and transmitted to the Registrar's office for safe custody;

(*g*) for each petition presented to a registering officer objecting to the return of a document to a person in whose favour the receipt has been drawn up;

(*h*) for each application claiming remission or refund of :

(i) the fine levied under Sections 25 (1) and 34 (1), or

(ii) fees levied in connection with the registration of a document, the search for grant of copies or encumbrance certificates or attendance at the private residence or jail:

Provided that the fee shall be levied in the cases referred to above only when the amount to be refunded or remitted exceeds five rupees.

Note:—(1) In the cases referred to in clauses (*c*) and (*d*) above, the levy of fee should be restricted to cases in which the power-of-attorney has not been registered, authenticated or attested by registering officer.

(2) A fixed fee of one rupee shall be levied—

(*a*) for each petition presented to a registering officer protesting against the registration of a document; and

(*b*) for each petition presented to a registering officer;

(i) for withdrawing a document from registration;

(ii) for complete or partial refusal to register a document; and

(iii) for keeping a document pending appearance of parties executing it.

(3) (*a*) A fixed fee of Rs. 10 shall be levied for each application to a registering officer to accept a document for registration at his office on a holiday on the ground of special urgency.

81

(*b*) A fixed fee of Rs. 10 shall be levied for each application presented to a registering officer to accept a sealed cover purporting to contain a will for deposit under Section 42 on an authorised holiday on the ground of special emergency.

XXX. For the re-registration of a document partly refused in the first instance and directed to be registered by a Registrar under Section 75, copying fee at the prescribed rate shall be levied.

XXXI. For filing translation under Section 62 — Rs. 2.50 nP.

XXXII. In addition to the fees payable under Articles XII, XVI and XVII, a fixed fee of 25 nP shall be charged in respect of every application made to a registering officer for an inspection, a search or a copy or extract of any document or record in the registration office.

XXXIII. (*a*) A Department either of the State Government or the Central Government liable to pay registration charges is exempt from the payment of all fees under this Table of fees.

(*b*) In cases where the fees are payable partly by a Department whether of the State Government or the Central Government and partly by some other party, the exemption under clause (*a*) shall extend to that part only which is payable by the concerned Government Department.

XXXIV.—

(1)	For Registration of mortgage deeds executed in favour of Government by the purchasers of the privileges of retail vend of articles liable to duty or excise under any law for the time being in force	Nil
(2)	For Registration of instruments of gift, settlement, trust or any transfer of property executed in favour of the State Government	Nil
(3)	For registration of documents relating to transfer of property otherwise than by public auction, under the Displaced Persons (Compensation and Rehabilitation) Rules, 1955	Nil
(4)	For registration of mortgage deeds, agreements and security bonds executed by the Central or State Government Servants in favour of the Central or State Government in respect of the following advances granted to them by the Central or State Government:—	
	(i) House building or house purchase advance.	
	(ii) House repair advance	Nil

(5)	For registration of document to be executed by the Scholars in respect of scholarships, study leave concessions, fellowships and deputation concessions granted to them by the Government under any of the technical aid programmes ...	Nil
(6)	For registration of a certificate of transfer granted by a Tahsildar under the Tenancy law ...	Nil
(7)	For registration of awards under Bombay Agricultural Debtors Relief Act, 1947	Nil
(8)	For registration of instrument executed by or in favour of the American personnel assigned to the Technical Co-operation Mission in India in cases where the fee is payable by such personnel	Nil
(9)	For registration of a deed of conveyance made in respect of lands acquired by the State Government in accordance with the provisions of the Tungabhadra Project (Prevention of Speculation in Land) Act, 1947 ...	Nil
(10)	For registration of Sale certificates issued under the Evacuee Interest Rules, 1951, by competent authority ...	Nil
(11)	For registration of instruments executed in respect of transfer of immovable properties belonging to Foreign Missions in India, in favour of Indian Missions ...	Nil
(12)	For registration of mortgage deeds executed for loans for the purchase of pump set, etc., in connection with food production.	Half of the fee chargeable.
(13)	For registration of instruments executed in favour of State Government or the Co-operative Societies by persons granted loans under the Village Housing Project Scheme ...	Nil
(14)	For the registration of instruments executed in favour of the Government by the Managing Authority of an Educational Institution aided by the Government, hypothecating the land and buildings belonging to the Institution for securing the refund of the amount given by the Government as grant-in-aid to the Institution, if the said lands and buildings are not used for educational purposes or if the education given by the Institution is defective or unsatisfactory ...	Nil

XXXV. (1) In respect of encumbrance certificates required by persons residing in villages for production with their application for grant of short term loans under the National Extension Service Scheme, no fee shall be chargeable.

(2) In respect of encumbrance certificate required by a public officer,

(*a*) in respect of property offered as security by a public servant for the due performance of his duties;

(*b*) to test the property qualification required by an extra Department Post Master whether at the time of his appointment or subsequently;

the fee chargeable shall be Rs. 1.50 nP.

(3) In respect of encumbrance certificate required by a public Officer in connection with grant of loans not exceeding Rs. 300 under the Land Improvement Loans Act, 1890, no fee shall be chargeable.

(4) In respect of encumbrance certificates required by persons who execute instruments of gift of land in favour of Governor of Mysore, in pursuance of Vidyadan and Bhoodan for educational Institutions referred to in Government Order No. 6430-530/EM 5-55-1, dated 14th July 1955, no fee shall be chargeable.

(5) In respect of encumbrance certificates required for food production loans where the loan does not exceed Rs. 750, no fee shall be chargeable.

(6) In respect of encumbrance certificates for obtaining takavi loans amounting to Rs. 500, no fee shall be chargeable.

(7) In respect of encumbrance certificates required for drawing a loan granted under the Village Housing Project Scheme, no fee shall be chargeable.

Note: The fees prescribed in Articles XV and XVII shall be applicable in the districts of Belgaum, Bijapur, Dharwar and North Kanara only.

By Order and in the name of the Governor of Mysore,

S. ABDUL WAJID,

Under Secretary to Government,
Revenue Department.